

FILED

3/23/2020

Clerk, U.S. District Court  
District of Montana  
Helena Division

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
HELENA DIVISION**

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**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**TAVIA DION BLUME and KYLE  
DOUGLAS ALVERSON,**

**Defendants.**

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**CR 19-01-H-CCL**

**PRELIMINARY ORDER OF  
FORFEITURE**

The United States moves for a preliminary order of forfeiture as to the interest of Defendants Tavia Dion Blume and Kyle Douglas Alverson in \$1,280 in United States currency. Defendants Blume and Alverson appeared before the Court on April 25, 2019 and entered a plea of guilty to Counts I and IV of the Indictment. They also admitted the forfeiture allegation. Their guilty pleas provide a factual basis and cause to issue an Order of Forfeiture, pursuant to 21 U.S.C. § 853.

The United States also moves for dismissal of the following forfeiture items on the grounds that they were forfeited in an administrative proceeding: a Taurus

model PT709 Slim, 9mm caliber pistol, *SIN*: TCW39816; (2) a Phoenix Arms model HP22, .22LR caliber pistol with an obliterated serial number; (3) a Glock model 42, .380 caliber pistol, *SIN*: ACZY715; and, (4) ammunition.

The brief filed by the United States fails to address the fact that the interest of Defendants Blume and Alverson in the items listed in the forfeiture count were forfeited as part of the judgment imposed against each on September 13, 2019. (*See Docs. 86 and 88*).

It appears that the preliminary order of forfeiture may be necessary to ensure that any third parties who may have an interest in the currency can assert that interest. Accordingly,

IT IS HEREBY ORDERED that the United States' motion for preliminary order of forfeiture (Doc. 111) is GRANTED in part and DENIED in part.


IT IS FURTHER ORDERED that the interests of Defendants Blume and Alverson in \$1,280.00 in United States currency is forfeited to the United States in accordance with 21 U.S.C. § 853 and the United States Marshals Service and the Bureau of Alcohol, Tobacco, Firearms and Explosives are directed to seize the property subject to forfeiture and further to make a return as provided by law.

IT IS FURTHER ORDERED that the United States will provide written notice to all third parties asserting a legal interest in any of the above-described

property and will post on an official government internet site ([www.forfeiture.gov](http://www.forfeiture.gov)) for at least 30 consecutive days as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions of the Court's Preliminary Order and the United States' intent to dispose of the property in such manner as the Attorney General may direct, pursuant to 21 U.S.C. § 853(n)(1), and to make its return to this Court that such action has been completed; and that upon adjudication of all third-party interests, if any, the Court will enter a Final Order of Forfeiture.

IT IS FURTHER ORDERED that the United States' motion to dismiss the forfeiture allegation as to (1) a Taurus model PT709 Slim, 9mm caliber pistol, *SIN*: TCW39816; (2) a Phoenix Arms model HP22, .22LR caliber pistol with an obliterated serial number; (3) a Glock model 42, .380 caliber pistol, *SIN*: ACZY715; and, (4) ammunition is DENIED, the interests of Defendants' Blume and Alverson in those items having been forfeited in the Court's judgments as to those defendants.

DATED this 23<sup>rd</sup> day of March, 2020.

  
CHARLES C. LOVELL  
SENIOR UNITED STATES DISTRICT JUDGE